

**PARTIAL RELEASE**

STATE OF ALABAMA  
Shelby COUNTY

KNOW ALL MEN BY THESE PRESENTS, that the undersigned First Commercial Bank, an Alabama banking corporation, does hereby release the real property mortgage executed by Beaver Creek LLP, which said mortgage was recorded in the Office of the Probate Judge of SHELBY County, Alabama in Vol 1997 Pg 42265, and for good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned does hereby release, remise, quit claim, and convey unto Beaver Creek LLP, all of the right, title, and interest of the undersigned to the real property described below or on attached Exhibit "A".

See Exhibit "A".

It is expressly understood and agreed that this release shall not in any manner affect the lien of said mortgage as to the remainder of the property described in and secured by said mortgage.

IN WITNESS WHEREOF, the undersigned First Commercial Bank has hereunto set its hand and seal on this 5th day of September 2001.

FIRST COMMERCIAL BANK

BY: 

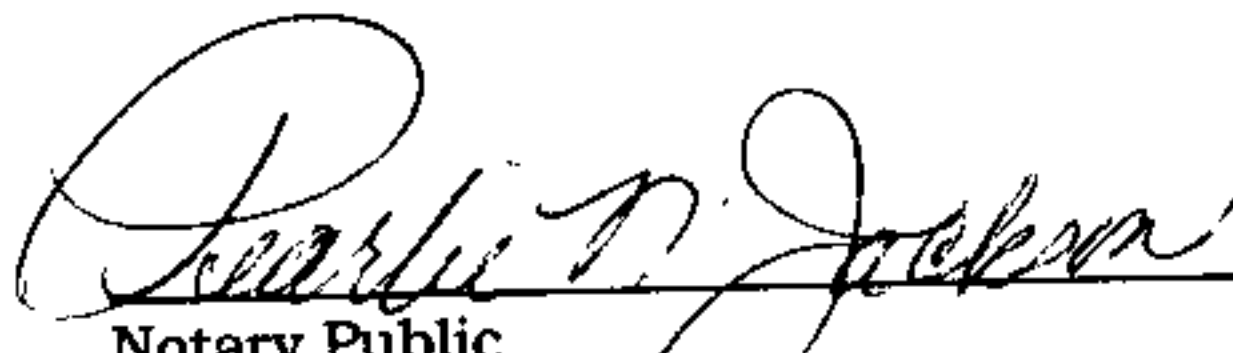
SAMUEL L. FINCH, JR.  
CREDIT ANALYST OFFICER

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned, a notary public in and for said county in said state, hereby certify that SAMUEL L. FINCH, JR., whose name as CREDIT ANALYST OFFICER of First Commercial Bank, an Alabama banking corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 5th day of September 2001.

PREPARED BY: PEARLIE N. JACKSON for  
FIRST COMMERCIAL BANK  
P. O. BOX 11746  
BIRMINGHAM, AL 35202-1746

  
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Dec 11, 2004  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

09/12/2001-39195  
08:54 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

002 MSB 14.00

Inst # 2001-39195

EXHIBIT "A"

Lot 39 and part of Lot 40, Beaver Creek Preserve Third Sector, as recorded in Map Volume 27, Page 91, in the Office of the Judge of Probate of Shelby County, Alabama, said part of Lot 40 being more particularly described as follows:

Beginning at an existing iron rebar being the locally accepted Northeast corner of said Lot 40 and run in a southeasterly direction along the east line of said Lot 40 for a distance of 47.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 168 degrees 25 minutes 50seconds and run in a northwesterly direction for a distance of 49.38 feet to an existing iron rebar set by Laurence D. Weygand and being on the north line of said Lot 40 and being 10.0 feet West of the point of beginning; thence turn an angle to the right of 109 degrees 30 minutes 15 seconds and run in a northeasterly direction along the north line of said Lot 40 for a distance of 10.0 feet, more or less, to the point of beginning.

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